

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DONALD C. HUTCHINS

Plaintiff

v.

CARDIAC SCIENCE, INC., et al.,

Defendants

Civil Action: 04-30126-MAP

FILED
CLERK'S OFFICE
2006 OCT -5 A 10:06
U.S. DISTRICT COURT
DISTRICT OF MASS.

REFILING OF MOTION WITH PROOF REQUESTED BY COURT

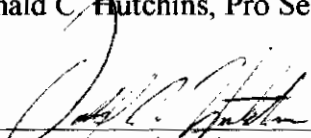
**MOTION REQUESTING THIS COURT TO TAKE JUDICIAL NOTICE THAT
PURSUANT TO 28 U.S.C §1441(a) CASE NO. CV04540066 HAS BEEN
REMOVED TO THE UNITED STATES DISTRICT COURT NORTHERN OHIO**

The Plaintiff, Donald C. Hutchins ("Hutchins") hereby requests that this Court take Judicial Notice that Cuyahoga County of Common Pleas Case CV04540066 ("066") has been removed to the United States District Court of the Northern District of Ohio pursuant to 28 U.S.C. §1441(a). This Court pending proof of removal denied the original motion filed on September 19, 2006. The United States District Court of the Northern District of Ohio has docketed this Case as Civil Action 1:06CV2366, Judge Gaughan a copy of which is attached as Exhibit A. A certified copy of this Notice of Removal has been sent to the Clerk of the Cuyahoga County of Common Pleas instructing the Clerk to send the certified case file to the attention of Assistant Clerk Betty Childress of the District Court of the Northern District of Ohio.

The Plaintiff

Donald C. Hutchins, Pro Se

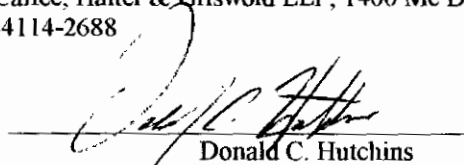
Dated, October 5, 2006


1047 Longmeadow Street
Longmeadow, Massachusetts 01106
(413) 567-0606

CERTIFICATE OF SERVICE

I, Donald C. Hutchins, 1047 Longmeadow Street, Longmeadow, Massachusetts 01106, hereby certify that I served a copy of the foregoing on the appropriate party by sending a copy by first class mail to: Randall T. Skaar, Esq., Patterson, Thucnte, Skaar & Christensen, P.A., 4800 IDS Center, 80 South Eighth St., Minneapolis, MN 55402. Paul T. Rothschild, Esq., Bacon & Wilson P.C., 33 State Street, Springfield, MA 01103 John J. Egan, Esq., Egan, Flanagan and Cohen, P.C., 67 Market Street, Springfield, MA 01102-9035. Jeffrey Lauderdale, Esq., Calfee, Halter & Griswold LLP, 1400 Mc Donald Investment Center, 800 Superior Ave., Cleveland, OH 44114-2688

Dated: October 5, 2006


Donald C. Hutchins